

HAVA Grant Process

HAVA BACKGROUND

The Help America Vote Act of 2002 was passed by Congress in response to issues raised in the 2000 Presidential election. The purpose of HAVA is to provide funds to states to improve election administration and replace outdated voting systems, to create a new federal agency to serve as a clearinghouse for election administration, and to create minimum standards for states to follow in several key areas of election administration.

The State of Washington has developed and filed a state plan addressing implementation of HAVA. That plan is available at <http://www.secstate.wa.gov/elections/reform>.

The state of Washington has received \$62.3 million in federal and state funds for the purpose of implementing HAVA. The focus of this document is to describe the grant process to be used by the state of Washington for issuing grants to counties to implement HAVA and improve administration of elections at the state and county levels.

The HAVA grant process will be overseen by the HAVA Grant Advisory Board, which is authorized by statute and appointed by the Secretary of State.

HAVA FUNDING

Washington State has received all of the funds available to it through the Help America Vote Act. These funds were distributed through provisions of HAVA as described below.

HAVA Title I	Section 101	\$6,098,449.00	Election administration Improvements
HAVA Title I	Section 102	\$6,799,430.00	Punch card replacement
HAVA Title II	Section 251	\$47,195,971.00	Requirements payments
State Match	State Budget	\$2,359,798.55	State match
EAID	Section 261	\$419,059.00	Health and Human Services
	Total	\$62,873,308.00	

1. **“Early Out” money.** Soon after HAVA became law, states were allowed to apply for what was referred to as “Early Out” money” to get an early start on improving the administration of elections. Washington’s “Early Out” money under Title I of the Act totaled \$12,897,879.
2. **Requirements Payments:** Title II of HAVA requires the Election Assistance Commission to make yearly payments to qualifying states to meet the requirements contained in Title III of the Act.

To receive these “Requirements Payments”, Washington had to complete a certification process that consisted of drafting a state plan, establishing an

administrative complaint procedure for HAVA violations, confirming compliance with several federal statutes, assuring that funds received would be used for HAVA-related activities, and providing a 5% match for the federal funds. The legislature appropriated \$2,359,798.55 to satisfy the latter requirement.

On August 9, 2004, the Election Assistance Commission released Washington's share of the requirements payments, totaling \$47,195,971.

3. **Accessibility Grants:** HAVA requires the Secretary of Health and Human Services to supply funding to ensure access to polling places for individuals with disabilities and to inform disabled individuals about polling place accessibility.

County election officials may apply to the state for this money and spend it on accessibility issues until the amount has been exhausted. Washington has applied and received grants for 2003 and 2004 totaling \$419,059.

HAVA GRANT AGREEMENTS

Whenever federal funds are passed from the state to the county, an Intergovernmental Agreement must be signed. One basic master agreement has been drafted and distributed to the counties for signature. Once the basic agreement is in place, the counties may apply for grants. Each approved grant under HAVA will be added to the basic grant agreement as an addendum.

HAVA GRANT PRIORITIES

HAVA grant requests will be categorized into Priority 1 or Priority 2 grants.

Priority 1 Grants

These grants are for activities mandated by HAVA, with specific deadlines and requirements for completion. The Secretary of State has reserved \$30 million for funding priority 1 grants. The dollar amounts for the majority of these activities are drawn from the state plan.

Punch card buy-out	5.8 Million
DRE funding	8.4 Million
Voter Registration Data Base (VRDB)	6 Million
Elections Maintenance Systems (EMS)	5 Million
HAVA poster	5 Thousand
Free Access	1 Million
Voter registration forms	2 Million
Provisional ballots	1 Million
Total (rounded)	30 Million

Priority 2 Grants

These grants will improve the election administration process, but are not specifically required by HAVA. The Secretary of State has reserved \$20 million for funding priority 2 grant activities, such as the following:

- Accessibility
- Local voter pamphlets
- Outreach/education
- Alternative language
- Poll worker training
- Voting equipment beyond the minimum HAVA requirement

HAVA GRANT CYCLES

The Secretary of State has authorized two grant cycles for HAVA requests to coincide with the grant priorities.

First Priority Grant Cycle

The Secretary of State has reserved \$30 million for a one year grant process, beginning immediately and concluding on September 30, 2005, for the following activities:

- Punch card buy out
- DRE funding
- Voter Registration Data Base (VRDB)
- Elections Maintenance Systems (EMS)
- HAVA poster
- Free Access
- Voter registration forms
- Provisional ballots

The Secretary of State will process and authorize grants to counties for punch card replacement and DRE acquisitions consistent with the amounts authorized in the state plan, appendix F. These grant proposals do not need to be presented to the Advisory Board for review or recommendation. The primary purpose of these grants is for punch card and DRE acquisition; however, these funds may also be expended for other Title III HAVA purposes upon proper documentation by the county.

Second Priority Grant Cycles

Before a county is eligible to receive priority two grants, the county must certify to the Secretary of State that the county has adopted a plan to comply with all HAVA requirements. The Secretary of State will open a series of four quarterly grant cycles, of

\$5 million each, for the next 20 million of the HAVA funds, with the first cycle commencing on April 1, 2005.

Of the \$20 million, \$10 million will be reserved to counties according to the number of registered voters in each county.

The reserved funds will be protected and set aside for 12 months to allow counties an opportunity to assess needs and submit grants without concern that the fund may be depleted by grants to other counties.

The apportioned monies will not be a “blank check” to the counties. Counties will still need to submit a competitive grant for these monies.

The four competitive grant cycles will run during the following periods:

- April 1, 2005 through June 30, 2005 - \$5 million available
- July, 2005 through September 30, 2005 - \$5 million available
- October 1, 2005 through December 31, 2005 - \$5 million available
- January 1, 2006 through March 31, 2006 - \$5 million available

These funds are available for purposes such as:

- Accessibility
- Local voter pamphlets
- Outreach/education
- Alternative language
- Poll worker training
- Voting equipment beyond the HAVA minimum requirement

Regarding accessibility grants, for the remainder of 2004 the Secretary of State will directly and expeditiously process grant to counties in amounts of \$20,000 or less for improving access to poll sites by disabled voters. These grant proposals do not need to be presented to the Advisory Board for recommendation.

Reserve Funds

The remaining \$12.3 million will be held in reserve by the Secretary of State for future funding and prioritization.

Future Grant Cycles

The Secretary of State may establish future grant cycles based upon the availability of funds, needs of counties, and information learned during the initial grant cycles. This could also include unused priority 1 and 2 grants.

Depending on funds available at the end of the grant application process, the possibility of establishing endowments for ongoing programs could be an option. Staff has not yet developed recommendations on this at this time.

HAVA GRANT ADVISORY BOARD

During the 2004 session, legislation was enacted that created the local government grant program and also established an Advisory Board to develop recommendations to the Secretary on HAVA grants to counties.

After soliciting input from the County Auditor's Association and office staff, Secretary Reed appointed the following members to the HAVA Grant Advisory Board:

- Nick Handy, Director of Elections;
- Doug Cochran, Yakima County Administrator;
- Dean Logan, Director of Records, Elections and Licensing Services in King County;
- Kris Swanson, Cowlitz County Auditor; and
- Thad Duvall, Douglas County Auditor.

The Secretary and Advisory Board have jointly agreed that the Advisory Board's role in the grant program will be as follows:

- overseeing the grant process;
- providing advice to the Secretary of State on the grant program;
- reviewing and scoring grant applications submitted by counties; and
- developing recommendations to the Secretary on grant decisions.

HAVA GRANT PROCESSING

Grants will be reviewed on a quarterly basis unless a special meeting is called by the Chair of the HAVA Grant Advisory Board for good cause to review a grant request on an earlier basis. The Secretary of State staff will complete an initial review and scoring assessment of the grant requests and present the initial assessment to the Advisory Board. The Advisory Board will finalize the scoring process and develop recommendations to the Secretary of State.

The application will be a simple multiple question document, designed to coincide with the scoring provisions developed by the Advisory Board and adopted by the Secretary of State. The application form is available on the Secretary of State's web site at www.secstate.wa.gov/elections/reform_federal.aspx

ELECTION ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES (EAID) GRANTS

Although funding is authorized for disability purposes from Title II, Subtitle D, Part 2, Section 261 of Help America Vote Act, actual grants are provided by the Department of Health and Human Services. EAID grants may be awarded for the following activities:

1. making polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with the full-range of disabilities (e.g., blindness or visual impairment, deafness or hearing impairment, mobility-related, dexterity-related, emotional or intellectual);
2. providing the same opportunity for access and participation (including privacy and independence) to individuals with the full-range of disabilities;
3. training election officials, poll workers, and election volunteers on how best to promote the access and participation of individuals with the full-range of disabilities in elections for Federal office; and.
4. providing individuals with the full range of disabilities with information about the accessibility of polling places.

Because the funds are distributed from a different federal agency and require different certifications, the HAVA Intergovernmental Agreement cannot be used. Any county that is awarded a grant from this fund will be required to sign an additional County Agreement. The application for these funds is available on the Secretary of State's web site at www.secstate.wa.gov/elections/reform_federal.aspx.

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Secretary of State HAVA Web page
http://www.secstate.wa.gov/elections/reform_federal.aspx